

CALL, HANSON & KELL, P.C.

250 H. Street

Anchorage, Alaska 99501-2112

Phone (907) 258-8864 • Fax (907) 258-8865

Barry J. Kell
CALL, HANSON & KELL, P.C.
250 H Street
Anchorage, Alaska 99501-2112
(907) 258-8864
(907) 258-8865 (fax)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ALLSTATE INSURANCE COMPANY,)
)
Plaintiff,)
)
vs.)
)
CAROLINE PROSSER,)
)
Defendant.)

Case No. A05-060-CI (JWS)

**JOINT RESPONSE TO MARCH 1, 2006 ORDER REGARDING
CERTIFICATION OF READINESS FOR TRIAL**

COMES NOW plaintiff Allstate Insurance Company and defendant Caroline Prosser, by and through their respective undersigned counsel, and hereby submit this joint response to the court's Order (Certification of Readiness for Trial) in this matter, dated March 1, 2006.

The court's February 24, 2006 order on the parties' summary judgment motions established (1) that some of Caroline Prosser's underinsured motorist claims are covered under her Allstate umbrella policy

CALL, HANSON & KELL, P.C.

250 H. Street

Anchorage, Alaska 99501-2112

Phone (907) 258-8864 • Fax (907) 258-8865

and (2) that Prosser's claims are not subject to arbitration. The parties previously have limited discovery to the issues necessary to the resolution of the coverage issues raised in the summary judgment motions.

Now that the court has decided those motions, the parties will need to go forward with discovery as to damages and any other remaining issues. The parties anticipate that discovery will require approximately six months to complete, and so request that the court establish a discovery deadline of October 1, 2006.

At this point, the parties are uncertain as to whether there will be additional legal issues to be addressed through motion practice. In view of the court's rulings on the coverage issues, it is possible that there will be issues as to allocation of Prosser's injuries and damages as between covered and non-covered causes.

The parties have had brief settlement discussions, and anticipate further exploring settlement. The parties do not request a settlement conference at this time, but may wish to do so as discovery progresses.

CALL, HANSON & KELL, P.C.,
Attorneys for plaintiff Allstate

DATED: 3/16/06

By: /S/

Barry J. Kell

Ak Bar No. 8611120

Allstate v. Prosser

Case No. A05-060 Ci. (JWS)

Joint Response to March 1, 2006 Order Regarding Certification of Readiness for Trial

Page 2

CALL, HANSON & KELL, P.C.

250 H. Street

Anchorage, Alaska 99501-2112

Phone (907) 258-8864 • Fax (907) 258-8865

CHOQUETTE & FARLEIGH, LLC,
Attorneys for defendant Prosser

DATED: 3/15/06

By: /S/
William L. Choquette
Ak Bar No. 7410066

CERTIFICATE OF SERVICE

I certify that on this the 16th
day of March, 2006, a true
and correct copy of the foregoing
document, and attachments if
any, were served upon the
following counsel of record by
mail:

William L. Choquette, Esq.
Choquette & Farleigh, LLC
629 L Street, Suite 101
Anchorage, Alaska 99501

By: _____

G:\00 CHK Law\Allstate\2101\005 - Prosser\Pleadings\Joint Response re Cert Readiness Trial (2nd).doc

Allstate v. Prosser

Case No. A05-060 Ci. (JWS)

Joint Response to March 1, 2006 Order Regarding Certification of Readiness for Trial

Page 3